UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

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BRENDAN M. McGUINNESS,

Plaintiff

v.

CIVIL ACTION NO.: 05-11738-EFH

JAMES R. BENDER, ET AL.,

Defendants.

ORDER

December 19, 2006

HARRINGTON, S.D.J.

The parties in this case having waived their right to trial by jury, the Court orders that the trial commencing on Tuesday, January 2, 2007, at 9:00 A.M., shall be tried before the Court without a jury.

SO ORDERED.

/s/ Edward F. Harrington
EDWARD F. HARRINGTON
United States Senior District Judge